

## Vancouver Municipal Code

### VMC CHAPTER 8.24 ANIMALS

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#### **VMC 8.24.010 Definitions.**

As used in this chapter, the following terms mean:

1. "Adult cat" means any member of the cat family past the age of six months or which has acquired a permanent set of canine teeth.
2. "Adult dog" means any member of the dog family past the age of six months or which has acquired a permanent set of canine teeth.
3. "Animal" means any nonhuman member of the classes mammal and any reptile or bird.
4. "Animal welfare organization" means an organization which regularly engages in the practice of acquiring or transferring animals for the purposes of animal welfare, which includes protecting or caring for animals, returning animals to their natural habitat, or placing animals for adoption.
5. "Bodily injury" means injury to a natural person, livestock or domesticated animal which causes physical pain, illness or damage to any part of the body, or impairment or deterioration of physical condition or health.
6. "Domesticated animal" means any animal other than livestock which lives and breeds in a tame condition. This generally refers to dogs, cats and some birds.
7. "Grooming parlor" means any establishment where animals are bathed, clipped or combed for a valuable consideration for the purpose of enhancing their aesthetic value.
8. "Guide dog" means a dog which is in working harness and is trained or approved by an accredited school engaged in training dogs for the purpose of guiding blind persons or a dog which is trained or approved by an accredited school engaged in training dogs for the purpose of assisting hearing impaired persons.
9. "Kennel" means any premises used to conduct a commercial business involving the breeding, buying, selling or letting dogs for hire, boarding or training dogs, but excluding animal hospitals where dogs are kept only for treatment by licensed veterinarians and nonprofit animal shelters where animals are kept for care and treatment pending redemption, adoption or euthanasia.
10. "Leash" means a cord, string or chain not more than nine feet long by which an animal is physically controlled by the person accompanying it.
11. "Livestock" means any horse, sheep, beef or dairy cattle, mule, jack, jennet, burro, goat, pig, domesticated hare, rabbit, llama and poultry.
12. "Owner" means any person having an interest in, caring for, or having a right of possession of an animal, or any person having custody or possession of an animal. In a household, the owner is presumed to be the head of the household.
13. "Person" means any individual, partnership, corporation or other legal entity.
14. "Pet shop" means any business or commercial establishment wherein animals commonly referred to or considered to be pets are kept or displayed for sale to any persons or organizations for either private or commercial purposes, provided it shall not include establishments where only birds or fish are kept for sale.
15. "Police dog" means a dog used by a law enforcement agency and specially trained for law enforcement work.
16. "Poultry" means all domesticated fowl and all game birds which are legally held in captivity.

17. "Running at large" means to be off the premises of the owner and not under the physical control of either the owner or a person authorized by the owner. There is a rebuttable presumption that the animal has not been under control if injury, damage or trespassing has occurred.
18. "Vicious behavior" means any act performed by an animal without sufficient provocation which causes injury or endangers the safety of persons, animals or property.
19. "Wild animal" means any animal except livestock and domesticated animals which due to its size, habits, natural propensities, instinct, handling or training presents a danger or potential danger to human beings, animals or property.

(Ord. M-2727 § 1, 1987: Ord. M-2656 § 1, 1986: Ord. M- 2584 § 1, 1985: Ord. M-2397 § 2, 1983)

#### **VMC 8.24.020 Mandatory animal licensing of dogs and cats.**

It is unlawful for any person to keep or maintain a dog or a cat over eight weeks of age within the city without obtaining a license. It is unlawful for any person to keep or maintain any adult dog or adult cat in the city of Vancouver without paying the license fee and obtaining and retaining the license required by this chapter. Provided, that dogs or cats while kept in kennels, pet shops, veterinarian clinics, grooming parlors, or in the animal shelter designated as the custodian of animals impounded under this chapter, shall be exempt from this license requirement; provided, any person who newly acquires an unlicensed or licensed dog or cat, whose dog or cat becomes an adult, or who moves into Vancouver with such a dog or cat, shall have thirty days within which to obtain the license required by this chapter. Such license shall be nontransferable.

(Ord. M-3089 § 1, 1993: Ord. M-2584 § 2, 1985: Ord. M- 2397 § 3, 1983)

#### **VMC 8.24.021 Mandatory registration of pot-bellied pigs.**

It is unlawful for any person to keep or maintain any pot-bellied pig, as defined in Section 20.91.240, in the city of Vancouver without first obtaining a registration certificate under this chapter and paying the registration fee required in this chapter; provided, that pot-bellied pigs while kept in kennels, pet shops, veterinarian clinic, or in the animal shelter designated as the custodian of animals impounded under this chapter, shall be exempt from this registration requirement. The registration fee shall be nonrefundable. Such registration certificate shall be nontransferable and shall be valid for twelve months from the date of issuance.

(Ord. M-3027 § 2, 1992)

#### **VMC 8.24.022 Application for registration of pot- bellied pigs.**

Anyone applying for registration of a pot-bellied pig shall submit to the city clerk, or other authorized licensing or pet registration agent, the following:

1. The name, address and telephone number of the legal owner of the pig being registered;
2. The name, address and telephone number of the person having custody of the pig, if such person is one other than the legal owner;
3. The name, age, color, sex, distinguishing features, markings or tatoos of the pig being registered;
4. The address of the property at which the pig will ordinarily be kept or maintained;
5. Proof of spaying or neutering;
6. Certification of a veterinarian indicating that:

- A. The pig is current for the following vaccinations: Pleuroguard 4 (Erysipelas, Bordetella, Pasteurella, Hemophilus) and Parvo/Lepto, unless a veterinarian waives any of these vaccination requirements;
  - B. The pig is a Miniature Vietnamese, Chinese or Oriental pot-bellied pig (also known as *sus scrofa vittatus*); and
  - C. The pig currently meets the height and weight requirements established in Section 20.91.240; and
7. Payment of the thirty-dollar registration fee.

(Ord. M-3027 § 3, 1992)

#### **VMC 8.24.023 Proof of compliance with weight and height restrictions for pot- bellied pigs.**

The owner or custodian of the pig shall be responsible at all times for providing proof, acceptable to the designated animal control agent, of compliance with the weight and height restrictions contained in Section 20.91.240.

(Ord. M-3027 § 6, 1992)

#### **VMC 8.24.030 Optional pet registration.**

A city resident may register any domesticated animal other than a dog or cat with the city clerk or other agent authorized under this chapter to issue animal licenses upon completion of application and payment of a pet registration fee of three dollars. The pet registration shall be valid for a period not to exceed two years from the date of issuance to December 31st of the subsequent year. The city clerk or designated city licensing agent shall maintain records of such registration applications showing the number of each registration, the name, address, and telephone number of the owner or custodian of said animal, the sex and general description of the registered animal, and the expiration date of said registration.

(Ord. M-2584 § 3, 1985; Ord. M-2397 § 4, 1983)

#### **VMC 8.24.040 Agents for animal licensing and pet registration--Agent's fee.**

In addition to the city clerk or his or her assistants, the council may designate an authorized agent or agents for issuance of city animal licenses and tags and for the registration of other animals which agent or agents may be the designated city animal control agent, the designated city animal shelter, licensed veterinarians, and operators of pet shops, commercial kennels and grooming parlors with whom the city or the city's designated licensing agent has entered into a contract for such service. In the case of sales by licensed veterinarians or the operators of pet shops, commercial kennels and grooming parlors, an agent's fee of one dollar shall be added to the license or registration fee set by this chapter and retained by those agents. Agents shall within five days of receipt transmit the animal license or pet registration fee to the city clerk or the designated city licensing agent and shall follow the provisions of this title regarding issuance of licenses and tags for dogs and cats and pet registration of other animals and collection of fees therefor and shall be subject to the terms and conditions of contracts executed with the city and/or its designated licensing agent.

(Ord. M-2584 § 4, 1985; Ord. M-2397 § 5, 1983)

#### **VMC 8.24.050 Application for animal licenses or optional pet registration.**

Anyone applying for a license for a dog or cat or for registration for another animal or pot-bellied pig as defined in Section 20.91.240, shall submit to the city clerk, or other authorized animal licensing or pet registration agent, the following information:

1. The name, address and telephone number of the legal owner of the animal being licensed or registered;
2. The name, address and telephone number of the person having custody of the animal, if such person is one other than the legal owner;
3. The name, age, breed, color, sex, distinguishing features, markings or tattoos of the animal being licensed or registered, and, in the case of dogs and cats, whether the dog or cat has been neutered or spayed;
4. The address of the property at which the animal is ordinarily kept or maintained;
5. A certificate of a veterinarian indicating the dog or cat has current rabies immunization.

(Ord. M-3027 § 4, 1992: Ord. M-2656 § 2, 1986: Ord. M- 2584 § 5, 1985: Ord. M-2397 § 6, 1983)

**VMC 8.24.060 Dog and cat license fees.**

- A. Dog and cat licenses shall be valid for twelve months from the date of issuance upon payment of the fee required as follows:

	Cat	Dog
Neutered or spayed	\$6.00	\$12.00
Not neutered or spayed	20.00	40.00

- B.

provided, that there shall be no license fee for guide dogs; provided further, that the yearly fee shall be waived for one year only per animal for any dog or cat licensed for the first time as neutered or spayed; provided further, and that a senior citizen who is over the age of sixty-five may license not more than one dog and one cat per household at one-half the fee otherwise applicable.

License fees may be prepaid for a three-year period, if such period coincides with rabies vaccinations as required by subsection (5) of VMC Section 8.24.050.

- C. In the case of a dog or cat newly acquired, brought into the city, and/or becoming an adult, application shall be made within thirty days of the latest event.
- D. There shall be added to the license fee any civil penalties which have been assessed against the animal owner or custodian pursuant to this chapter and which are due and owing.
- E. No license fee will be charged to an owner who licenses a dog or cat that is under the age of six months; in such cases the license will be valid up to the time the dog or cat becomes six months of age. In the case of dogs under six months of age, the certificate of rabies vaccination as required by subsection (5) of Section 8.24.050 of this chapter is waived.
- F. Applications shall not be deemed completed for purposes of this section unless and until all required information, documentation and fees have been received by the licensing agent. Application forms which lack information, or which are not accompanied by the required documentation or fees shall be processed in a manner approved by the director of finance.

(Ord. M-3089 § 2, 1993: Ord. M-2727 § 2, 1987: Ord. M- 2656 § 3, 1986: Ord. M-2584 § 6, 1985: Ord. M-2397 § 7, 1983)

**VMC 8.24.065 Dog and cat license--Late penalty.**

A late penalty of two dollars will be charged for all license applications not received by the city's designated licensing agent within a timely manner as provided for in Section 8.24.020.

(Ord. M-3089 § 3, 1993: Ord. M-2727 § 3, 1987)

**VMC 8.24.070 Animal license fee waiver for exchange of impounded animals.**

The animal license fee shall be waived for any person who exchanges one impounded dog or cat which he or she has adopted for another impounded dog or cat within fourteen days of the animal's adoption from the city's designated shelter. The shelter shall issue a corrected new license for the exchange impounded animal; provided, that the owner shall state in writing under oath that the animal which he or she is returning to the shelter was seriously unsuitable for adoption because of the animal's death, serious illness or injury through no fault or neglect of the owner, or that such animal was vicious within the meaning of this chapter; and provided, that such owner shall return the unsuitable animal to the shelter along with its license and tags. The shelter shall forward these and the owner's statement under oath to the city clerk or designated city licensing agent within fifteen days of the exchange of the unsuitable animal. No more than one such license fee waiver for any owner shall be permitted in any five-year period.

(Ord. M-2584 § 7, 1985: Ord. M-2397 § 8, 1983)

**VMC 8.24.080 Animal license and tag issuance.<BR.**

Upon proper application and upon payment of applicable fees by the owner or person having the custody and control of any dog or cat, the licensing agent shall issue to such person a prenumbered identification tag for such animal and such person shall insure that the tag thereafter is securely affixed to a substantial collar or harness to be worn by the dog or cat at all times except at such times as the dog or cat is displayed in an exhibition. The person shall be given a receipt for all fees paid, which shall be prenumbered to correspond with the license issued.

(Ord. 3089 § 4, 1993: Ord. M-2584 § 8, 1985: Ord. M- 2397 § 9, 1983)

**VMC 8.24.081 Pot-bellied pigs and identification.**

A pot-bellied pig, when off its owner's property, shall wear a registration tag or have another form of identification which is approved by the designated animal control agent.

(Ord. M-3027 § 8, 1992)

**VMC 8.24.090 Pet registration and tag issuance.**

Upon proper application and payment of fees by the owner or person having the custody and control of any domesticated animal other than a dog or cat, or pot- bellied pig as defined in Section 20.91.240, the agent shall issue to such person a prenumbered identification tag for such animal. The person shall be given a receipt for all registration fees paid which receipt shall be prenumbered to correspond with the identification tag issued.

(Ord. M-3027 § 5, 1992: Ord. M-2584 § 9, 1985: Ord. M- 2397 § 10, 1983)

**VMC 8.24.100 Record of animal licenses and pet registration.**

A record of all animal licenses, pet registrations and their accompanying applications and any supporting certifications and statements shall be kept by the city clerk or the city's designated licensing agent.

(Ord. M-2584 § 10, 1985: Ord. M-2397 § 11, 1983)

**VMC 8.24.110 Animals--Running at large.** It is unlawful for any person being the owner or custodian of any animal, with the exception of cats, to permit such animal to be at large upon any public street, highway, or public place, or upon the private property of another within the city except with the permission of the owner or custodian of such private property.

(Ord. M-2727 § 4, 1987: Ord. M-2397 § 12, 1983)

**VMC 8.24.120 Leash requirement.**

It is unlawful for the owner or custodian of any dog to allow the dog to roam, stray or be away from the premises of the owner or custodian, or to be in or on any public place or property unless such dog is controlled by the owner, custodian or other competent and authorized person by means of a leash; provided, that the leash requirement of this section shall not apply to dogs which are under control while engaged in the lawful herding of livestock, lawful competition sanctioned by a nationally recognized body or a local chapter thereof, or lawful training for such herding or competitive activities; and provided further, that the leash requirements of this section shall not apply to any dog while in the performance of duty as part of a law enforcement canine patrol.

(Ord. M-2656 § 4, 1986: Ord. M-2397 § 13, 1983)

**VMC 8.24.130 Animal noise control.**

It is unlawful for any person to cause, or for any person in possession of real or personal property to allow to originate from the property frequent, repetitive, or continuous howling, barking, squawking or other noises made by any animal which unreasonably disturb or interfere with the peace, comfort, and repose of any property owner or possessor; except that such sounds made by livestock, other than pot-bellied pigs, whether from commercial or noncommercial activities on land which is properly zoned to allow keeping of livestock, and such sounds made in pet shops, grooming parlors, and kennels licensed under and in compliance with this chapter and in compliance with Title 20 of this code, shall be exempt under this subsection. It is unlawful for any person, firm or corporation being the owner or custodian of any dog to permit such dog to bark, bay, cry, howl or make any other noise continuously for a period of ten minutes or more or bark intermittently for one-half hour or more to the disturbance of any person at any time of day or night regardless of whether the dog is physically situated on property under the control of the owner or custodian of the dog; provided, however, that it is an affirmative defense under this subsection that the dog was intentionally provoked to bark or make any other noise by the injured person or any other person; provided, that enactment of this provision shall in no way abrogate any other provision of this code concerning animal noise.

(Ord. M-3027 § 9, 1992: Ord. M-2397 § 14, 1983)

**VMC 8.24.140 Animal waste.**

It is unlawful for the owner or custodian of any dog or other animal to permit, either wilfully or by failure to exercise due care, such animal to commit a public nuisance by defecating upon private property without the permission of the owner or custodian thereof, upon the public sidewalk, in or upon any public street or in or upon any public place where persons customarily walk. It shall be a defense to a charge under this section that such owner or custodian of the dog or other animal immediately removed and properly disposed of the feces deposited by the dog or other animal.

(Ord. M-2656 § 5, 1986; Ord. M-2397 § 15, 1983)

**VMC 8.24.150 Vicious behavior.**

It is unlawful for the owner or custodian of any animal to intentionally, knowingly, recklessly, or with criminal negligence permit such animal to engage in vicious behavior whether or not on the property of such owner or custodian. It shall be a defense to a charge under this section that the animal which injured or endangered such person or property had been intentionally provoked to perform the vicious behavior by the injured or endangered property, or by a person other than the animal's owner or custodian if such provocation is proven by the owner or custodian by a preponderance of the evidence to the satisfaction of the court or hearing officer.

(Ord. M-2397 § 16, 1983)

**VMC 8.24.160 Wild animals--Licensing.**

It is unlawful for any person to bring into the city of Vancouver or to keep or harbor within the city of Vancouver any wild animal unless a license to do so has first been obtained from the designated city animal control agent.

The wild animal license application shall contain a description of the animal or animals and of the place where the animal or animals shall be quartered. The designated city animal control agent shall inspect the place where the animals are to be quartered. If it appears from the inspection that the quarters are of a size large enough to comfortably contain the animals and are sufficiently secure that in the opinion of the designated animal control agent the animals to be kept therein will not be able to escape, the designated city animal control agent shall issue a "wild animal license" upon payment of a fee of one hundred dollars. Such license shall be in addition to any licenses required by this code. The quarters wherein such animals are kept shall be subject to inspection at any reasonable time by the designated animal control agent or city police. If a wild animal does escape or if it appears from such inspection or otherwise that a wild animal might escape, an order may be given by any of them that such quarters be immediately repaired or improved and, if this is not done, the animal may be impounded as provided herein and destroyed by the designated custodian of impounded animals subject to an appeal filed by the end of the next business day following the impoundment pursuant to the appeal procedures of this chapter.

Licenses issued under this section shall be valid for one year. This section shall not apply to the uninterrupted transport of animals through Vancouver by train or truck.

It is the duty of any person licensed under this section to at all times keep convenient to the quarters where wild animals are being kept the appropriate equipment as determined by the designated animal control director to aid in the capture of the animal were it to escape.

(Ord. M-2727 § 5, 1987; Ord. M-2397 § 17, 1983)



**VMC 8.24.170 Rabies carriers.**

It is unlawful to own, keep or harbor within the city of Vancouver bats or any species of animals designated as unlawful by the Washington State Department of Health pursuant to WAC 248-100-450(1) by reason of such species being a transmitter of rabies to human beings, including any skunk, fox or raccoon, except under circumstances permitted by said WAC 248-100-450(1), which is incorporated herein by reference, and one copy of WAC Chapter 248-100 is placed on file with the city clerk.

(Ord. M-2397 § 18, 1983)

**VMC 8.24.171 Rabies control.**

- A. In the event that any animal has bitten a human being, the designated animal control agent may order quarantine of such animal for a period up to fourteen days. In the event that the agent has reason to suspect that an animal is rabid, the appropriate officials of the Southwest Washington Health District shall be notified and the designated animal control agent shall coordinate any further activities with such health district. The health district shall have jurisdiction over any matter possibly involving rabies. WAC 248-100-450, 248-100-451 and 248-100-452, together with amendments thereto, are incorporated in this chapter by reference and prevail over any conflicting provision of this chapter in any suspected rabies matter.
- B. "Quarantine" means the keeping of a biting animal or the suspected biting animal separate and apart from other animals and people for a period of up to fourteen days. The animal must not be kept in any area that is accessible to other animals or persons, but may be kept indoors, caged or confined in a completely fenced yard by a chain or secure harness device. Should the order of quarantine be broken, the animal may be impounded and held by a designated custodian of animals at owner and/or custodian expense for the remainder of the quarantine period. Redemption is subject to payment of any fees allowable under this chapter. It shall be a violation of this chapter for any owner or custodian to whom an order of quarantine is issued to knowingly, recklessly or with criminal negligence permit the order of quarantine to be broken.

(Ord. M-2656 § 20, 1986; Ord. M-2397 § 56, 1983)

**VMC 8.24.180 Cruelty to animals.**

It is unlawful for any person within the city of Vancouver to intentionally, knowingly, recklessly or with criminal negligence commit, singly or together, any of the following acts or omissions or to aid or abet another person in the commission of such acts or omissions, which are deemed to constitute cruel treatment of animals:

- 1. To cause or allow any animal to endure pain, suffering, injury or to fail or neglect to aid or attempt to alleviate pain, suffering or injury which the person has caused to any animal. Such aid shall include provision of needed veterinary care;
- 2. To fail to provide minimum care to any animal within the person's care, custody or control; for the purpose of this section, "minimum care" means care sufficient to preserve the health and well-being of an animal and except for emergencies or circumstances beyond the reasonable control of the owner, includes, but is not limited to, the following requirements:

- a. In each period of twenty-four consecutive hours, to provide food of sufficient quantity and quality to allow for normal growth or maintenance of body weight,
  - b. In each period of twenty-four consecutive hours, to provide open or adequate access to potable water in sufficient quantity to satisfy the animal's needs. Neither snow nor ice is an adequate water source,
  - c. In the case of domestic animals, to provide to a barn, dog house or other enclosed structure sufficient to protect the animal from wind, rain, snow or sun and which has adequate bedding to protect against cold and dampness,
  - d. In the case of livestock, to provide protection from adverse environmental elements detrimental to the health and well-being of the animal,
  - e. To provide veterinary care deemed necessary by a reasonably prudent person to relieve distress from injury, neglect or disease,
  - f. No domestic animal shall be confined to an area without adequate space for exercise necessary for the health of the animal or which does not allow access to a dry place for the animal to rest. The air temperature in a confinement area must be suitable for the animal involved. Confinement area must be kept reasonably clean and free from excess waste or other contaminants which could affect the animal's health;
3. To tether, confine or restrain any animal in such a way as to permit said animal to become frequently entangled in such tether, or to render such animal incapable of consuming food or water or of using the shelter provided for it; while at the same time allowing adequate space for freedom of movement necessary when tethered for extended periods of time; provided, that there shall be a rebuttable presumption that restraint of an animal on a tether of less than three times the length of the animal measured from the tip of its nose to the base of its tail is cruel treatment;
4. To abandon any animal by dropping off or leaving such animal on a street, road or highway, or in a public place, or on the private property of another person;
5. To confine an animal within or on a motor vehicle or other enclosure or structure at any location when unattended and under such conditions as may endanger the health and well-being of the animal. Such conditions include, but are not limited to, dangerous temperature, lack of food or water and confinement with a vicious animal;
6. To transport or confine any living animal on the outside part of a motor vehicle except where attached to the vehicle by a harness, leash, cage or other enclosure so as to protect the animal from falling or being thrown therefrom and which prevents the animal from leaving the vehicle while unattended. The outside part of a motor vehicle includes the running board, fender or hood of any motor vehicle or the flatbed of a truck and/or the open portion (bed) of a pickup truck;
7. To place any food, drink or other substance of any description containing poisonous or other injurious ingredients in any area reasonably likely to be accessible to domestic animals or livestock;
8. To knowingly and intentionally, whether for amusement of self or others, or for financial gain, cause any animal to fight or injure any other animal, cause it to be fought or be injured by any animal or to train or keep for the purpose of training any animal with the intent that the animal shall be exhibited combatively with any other animal. Anyone who permits such conduct on premises under that person's control, and any person present as a spectator at that exhibition, shall be considered a violator of this subsection and subject to punishment upon conviction;
9. To sell or offer for sale or to give away any living baby rabbits, chicks, ducklings or other fowl which have been dyed, colored or otherwise treated so as to have an artificial color; provided, that this shall not prohibit the sale or display of natural baby chicks, rabbits, ducklings or other fowl in proper brooder facilities or stores engaged in selling them for commercial purposes;
10. To abandon or transfer to another person by gift, sale or exchange for consideration, any animal in or upon any sidewalk, street, alley, lane, public right-of-way, park or any other public property except when the transfer takes place to a sale conducted by a public body or public officer, when the transfer takes place at an animal show or exhibition conducted

by or for persons who regularly engage in the practice of breeding animals for show or exhibition, or when one of the parties to the transfer is a member of an animal welfare organization and is acting on behalf of the animal welfare organization.

(Ord. M-2656 § 6, 1986; Ord. M-2397 § 19, 1983)

**VMC 8.24.190 Duty when striking domestic animal with motor vehicle.**

Any person who while operating a motor vehicle strikes a domestic animal shall stop at once, render reasonable assistance, and shall immediately report such injury or death to the animal's owner. In the event that the owner of said animal cannot be readily ascertained and located, such person shall at once report the incident to the designated city animal control agent. This section shall in no way be construed as requiring the person striking the animal with a motor vehicle to be financially responsible for any injury or death of the animal.

(Ord. M-2397 § 20, 1983)

**VMC 8.24.200 Found stray animal.**

It is the duty of a person who takes into his possession any stray animal, not owned by him or placed into his possession by the person having the lawful custody and control thereof, to notify the designated city animal control agent at once, and to release such animal to said animal control agent or to the Vancouver city police upon demand and without charge.

(Ord. M-2397 § 21, 1983)

**VMC 8.24.205 Exemption--Police dogs.**

All police dogs owned by a public law enforcement agency or its agent and being used for training by such agency or agent shall be exempt from all provisions of the Vancouver Municipal Code relating to animal control, with the exception of Section 8.24.171, rabies control. If a police dog is required under Section 8.24.171 to be quarantined, such dog will be remanded to the control of its handler. Police dogs so controlled may be used in the line of duty. Follow-up procedures prescribed by the Humane Society/health department will apply.

(Ord. M-2727 § 6, 1987)

**VMC 8.24.210 Misdemeanor--Penalties.**

- A. Any of the following violations of this chapter is a misdemeanor punishable upon conviction by not more than one year in jail and/or a fine not to exceed one thousand dollars:
1. Section 8.24.150, vicious behavior;
  2. Section 8.24.170, rabies carriers;
  3. Section 8.24.171, rabies control;
  4. Section 8.24.180, cruelty;
  5. Section 8.24.190, duty when striking with motor vehicle;
  6. Section 8.24.240, obstruction of animal control agent;
  7. Section 8.24.160, wild animals; and
  8. Section 8.24.250, failure to respond.

- B. Any violation of any other provision of this chapter shall be a misdemeanor punishable by a fine of not more than one thousand dollars.

(Ord. M-2727 § 7, 1987: Ord. M-2656 § 7, 1986: Ord. M- 2397 § 22, 1983)

**VMC 8.24.220 Designated animal control agent.**

The city council may designate pursuant to a contract for animal control services an agent or agents of the city of Vancouver to enforce and administer this chapter and all ordinances of the city relating to animal welfare, cruelty to animals or to animal control. Any designated animal control agent shall comply with and follow the provisions of this chapter and other city ordinances relating to animal welfare, cruelty prevention, and animal control and shall be subject to the terms and conditions of such ordinances and of any contracts which have been or in the future are executed between the city of Vancouver and such designated animal control agent. This provision shall not be construed to abrogate or limit the jurisdiction of the Vancouver police department to enforce any provisions of this chapter or of any other city ordinance relating to animal welfare, cruelty and animal control by any lawful means including, but not limited to arrest, the issuance of a criminal citation, notice of civil violation or issuance of a warning citation.

(Ord. M-2656 § 8, 1986: Ord. M-2397 § 23, 1983)

**VMC 8.24.230 Powers of designated animal control agent.**

The animal control agent designated by the city council is authorized to take such lawful actions as may be required to enforce the provisions of this chapter and other city ordinances relating to animal welfare, cruelty prevention and animal control, including but not limited to the issuance of notice of civil violation, order to abate or in the giving of a warning citation for violation of any of such ordinances. An employee of the designated enforcement agent, while pursuing any animal observed by such officer to be in violation of any such ordinance or being treated cruelly in violation of any such ordinance, may enter upon public or private property, for purposes of enforcing the code provision violated; provided, that entry into a building designated for and used for private purposes may be accomplished only with the consent of the owner or occupant of said premises or upon the issuance of a proper search or arrest warrant by a court of competent jurisdiction upon a showing by the designated animal control agent that there is reasonable cause to believe that an animal is being maintained or treated in the building in violation of this title.

(Ord. M-2656 § 9, 1986: Ord. M-2397 § 24, 1983)

**VMC 8.24.240 Obstruction of animal control agent.**

It is unlawful for any person, without lawful excuse, to knowingly hinder, resist, delay or obstruct any officer of the Vancouver police department, any employee or agent of the designated animal custodian or any employee or agent of the designated animal control agent in the performance of their duties under this chapter.

(Ord. M-2656 § 10, 1986: Ord. M-2397 § 25, 1983)

**VMC 8.24.250 Notice of civil violation--Order to abate.**

Whenever an employee of the designated animal control agent has reasonable grounds to believe that an animal or facility is in violation or is being maintained in violation of this chapter, he or she is authorized to issue to the violator a notice of civil violation and/or order to abate, to contain each of the following:

1. The name and address, if known, of the owner or person in violation of the ordinance;
2. A statement that the officer has found the animal or facility to be maintained illegally, together with a brief description of the violation, and including the date of violation and the pertinent ordinance citation;
3. A statement assessing a civil penalty for each violation, which penalty shall be paid to the city of Vancouver or its designate within thirty days from the date of issuance; provided, that no penalty shall be assessed for violation of Section 8.24.020, dog and cat licensing, if the dog or cat identified in the notice is licensed within ten days after service of the notice; and provided further that such violation may be taken into account in determining penalties for subsequent licensing violations for other animals as set forth below. The penalties assessed against any person within any twelve-month period shall be as provided in Table 8.24.250.

**Editor's Note:** Because of the size and/or complexity of the table/chart set out in this section, it has been removed from this electronic database. The table/chart can be found in the printed code currently on file in the clerk's office or in any recent printed version of the code.

4. If found appropriate and necessary by the animal control agent to avoid violations of this or any other animal-related ordinance, there may be separately issued or included with the notice of civil violation an order to abate describing the violation, stating the action required to be taken, and stating a reasonable period of time in which to comply with the ordinance, as determined by the designated animal control agent.
5. The order to abate shall contain a statement advising that if any required abatement or action is not completed within the time specified, or any civil penalty and/or late payment penalty is not timely paid, or a timely appeal is not made, the designated animal control agent shall report noncompliance to the office of the city attorney, which shall have authority to commence criminal proceedings, charging such person with violation of this chapter in addition to or as an alternative to any other remedies provided by this chapter.
6. The notice of civil violation or order to abate may be appealed by filing a written notice of appeal as provided by this chapter within thirty days of service of the notice or order and the notice or order shall so state on its face. The notice or order shall further bear the notation: "Failure to Respond to this Notice of Violation and/or Order to Abate by Timely Payment of Civil Penalties or by Compliance with the Order, or by Timely Appeal of the Notice and/or Order is a Misdemeanor Punishable by a Fine of not to Exceed \$1,000.00 and/or a Jail Term Not to Exceed One (1) Year."
7. A notice of violation or order to abate shall be served on the owner or custodian of the animal or facility in violation of this chapter either personally or by mailing a copy of such notice and/or order by certified mail, postage prepaid, return receipt requested, to the person at his or her last known address. Service by mail shall be deemed completed upon the third day following the day the notice or order is deposited in the mail.
8. Proof of service of the notice or order shall be made at the time of service by a written declaration under penalty of perjury executed by the person effecting service, declaring the date, time and manner in which service was made.
9. In addition to any other legal remedies available pursuant to this chapter, any person who has been issued a notice of violation or order to abate pursuant to this chapter and who wilfully fails to respond to the notice of civil violation by

either the payment of the civil penalty and all late payment penalties within ninety days of issuance or to the order to abate by compliance therewith within the time specified in the order, or by the timely filing of a notice of appeal, shall be guilty of a misdemeanor regardless of the disposition of the notice of violation or order to abate.

(Ord. M-3089 § 7, 1993: Ord. M-2727 § 12, 1987: Ord. M- 2656 § 11, 1986: Ord. M-2397 § 26, 1983)

#### **VMC 8.24.251 Civil penalty--Scope.**

The city intends that the civil penalty provided in this chapter shall generally be applied to first violations or other violations when deemed effective. The criminal penalty shall be used when in the opinion of the city attorney, in consultation with the designated animal control agent, the civil remedy will not be effective, timely or when the violation is a second or subsequent violation.

(Ord. M-2656 § 22, 1986: Ord. M-2397 § 58, 1983)

#### **VMC 8.24.260 Hearing officer--Appointment.**

One or more hearing officers shall be appointed by the city manager to hear appeals relating to the enforcement of this chapter. The hearing officer may be a city employee but shall not be an employee of the city attorney's office. No employee of the designated animal control agent or of the designated custodian of animals impounded under this chapter shall be appointed as hearing officer. Contracts may be entered into with private persons to act as hearing officer, to be compensated as shall be provided therein and to be paid out of moneys available and budgeted therefor.

(Ord. M-2727 § 8, 1987: Ord. M-2397 § 27, 1983)

#### **VMC 8.24.270 Hearing officer--Powers and duties.**

The hearing officer shall hear all appeals from the following decisions of the designated animal control agent and/or designated custodian of impounded animals:

10. Denial, revocation or refusal to renew a "wild or exotic animal license";
11. Notice of civil violation and/or order to abate;
12. Order to abate habitual violator;
13. Order to abate attacker;
14. Denial of redemption;
15. Amount of redemption fee;
16. Denial, revocation or refusal to renew license for kennel, grooming parlor or pet shop;
17. Amount of license fee required in this chapter.

The hearing officer shall hear evidence presented by the city attorney and/or the designated animal control agent to sustain the decision of the designated animal control agent or, in the case of the setting of redemption fees, the designated custodian of impounded animals. The hearing officer shall likewise hear evidence presented by the person appealing the decision. If the decision of such designated agent or custodian is

found to be supported by a preponderance of the evidence the decision shall be affirmed. The hearing officer may amend the decision as the evidence and justice permit. The hearing officer shall reverse the decision in all other cases. Formal rules of evidence need not be followed, but witnesses shall be sworn by the hearing officer and a written order issued.

(Ord. M-2656 § 12, 1986; Ord. M-2397 § 28, 1983)

**VMC 8.24.280 Appeal procedure.**

- R. All appeals to the hearing officer made pursuant to this chapter shall be filed in writing with the city clerk or such other person or agency as the city may designate and as is named on the notice of violation, order to abate or other notice issued to this chapter, and shall contain:
  - 1. The names of all appellants participating in the appeal;
  - 2. A brief statement setting forth the action protested and the reasons why it is claimed a protested action should be reversed, modified or otherwise set aside;
  - 3. The signatures of all parties named and telephone numbers and mailing addresses;
  - 4. Verification (by declaration under penalty of perjury) of at least one appellant of the truth of the matter stated in the appeal.
- S. Upon filing an appeal, the city clerk or other designated person or agency shall transmit the same to a designated hearing officer as provided in this title.
- T. Failure of any person to file a timely appeal, or failure of any person who has filed an appeal to attend the scheduled hearing, shall constitute a waiver of his or her right to an administrative hearing and the decision of the designated animal control agent or designated custodian of animals shall be upheld.
- U. Filing of an appeal shall stay the enforcement of any notice of civil violation, order to abate (including order to abate habitual offender or attacker) or of the disposal of any impounded animal during the pendency of such appeal; provided, that an animal owner or custodian who has been denied redemption based upon alleged cruelty or the animal's vicious behavior shall not obtain release of such animal from impoundment except upon order of the hearing examiner upon good cause shown.
- V. The person filing the appeal shall be personally liable for the cost of daily care and necessary veterinarian care, and/or humane destruction of any animal which remains impounded pending the result of the appeal unless otherwise ordered by the hearing officer upon good cause shown.
- W. A copy of the final order of the hearing officer shall be mailed to the appellant(s) within three days (exclusive of Saturdays, Sundays and holidays) following the entering of a written order under this section. Unless otherwise stated in the order, such order shall be final and conclusive ten days from the date thereof unless any party of record makes application to a court of competent jurisdiction for judicial review and stay of enforcement.

(Ord. M-2656 § 13, 1986; Ord. M-2397 § 29, 1983)

**VMC 8.24.290 Personal obligation.**

Any criminal penalties, civil penalties, redemption fees or costs of abatement are personal obligations of the animal owner or custodian or facility owner. There is a

rebuttable presumption that one is an animal owner if one has applied to license or register the animal, that one is the animal's custodian if the animal is in one's possession, and that one is the owner of a facility if one has applied to license the facility.

(Ord. M-2397 § 30, 1983)

#### **VMC 8.24.300 Collection.**

The city attorney, on behalf of the city of Vancouver, may collect or seek to collect the civil penalty, abatement costs, redemption fees and other costs by use of appropriate legal remedies. The designated animal control agent may be authorized by the city to collect such costs, fees, and penalties as shall be owing as an agent of the city of Vancouver through small claims court and/or by assignment of such claim to a collection agency for collection. In addition to costs and disbursements provided for by statute, the prevailing party in a collection action under this chapter may, in the court's discretion, be allowed reasonable attorney's fees.

(Ord. M-2656 § 14, 1986: Ord. M-2397 § 31, 1983)

#### **VMC 8.24.310 Habitual violator.**

In addition to any other legal remedies available under the provisions of this chapter, a designated animal control agent for the city of Vancouver may order and direct in writing and by personal service the owner or custodian of any animal which is the subject of more than three criminal citations, orders to abate or notices of civil violation or any combination of the same in any twelve-month period to abate and remove such animal from the city of Vancouver within ninety- six hours from the date of service of the order to abate habitual violator, or such directive may provide in the alternative abatement and transfer of ownership and possession of such animal to another person not living at the same place of residence. Such order to abate habitual violator shall state the method of appealing the order in the manner as provided for in Section 8.24.290 and shall bear the notation that any appeal must be filed before closure of the city clerk's office or that of any such other person or agency which the city may designate to receive such appeals on the second business day following service of the order. If such animal is found to be kept in violation of the order after ninety-six hours have elapsed from the date and hour of service of the order, or the date and hour of affirmance of such order if a timely appeal is filed, such animal may be abated and removed by the designated animal control agent by impoundment, subject to all impoundment and redemption procedures; provided, however, such animal may not be returned to the same residence or property from which it was impounded or at which it resided or to the same owner or custodian from whom it was impounded.

(Ord. M-2656 § 15, 1986: Ord. M-2397 § 32, 1983)

#### **VMC 8.24.320 Habitual attacker.**

In addition to any other legal remedies available under the provisions of this chapter, the designated animal control agent for the city may order and direct in writing and by personal service the owner or custodian of any dog or other animal which, without sufficient provocation, has bitten or attacked any person, livestock or domesticated animal so as to cause bodily injury, to abate and remove such animal from the city of Vancouver within ninety-six hours of the date and hour of service of such order. Such order to abate attacker shall state the method of appealing the order in the manner



provided for in Section 8.24.290 and shall bear the notation that any appeal must be filed before closure of the city clerk's office or that of such other person or agency which the city may designate to receive such appeals, on the second business day following service of the order. If such animal is found within the city of Vancouver after ninety-six hours have elapsed from the date and hour of service of the order, such animal may be apprehended and removed by the animal control agent and disposed of immediately with no right of redemption by any person; provided, that if a timely appeal from the summary order to abate is filed, such animal shall not be disposed of unless and until such order is affirmed; and provided further, that in no event shall such animal be disposed of until the appeal period has expired.

(Ord. M-2656 § 16, 1986; Ord. M-2397 § 33, 1983)

#### **VMC 8.24.325 Abatement of pot-bellied pigs.**

In addition to any other legal remedies available, under the provisions of this chapter, in case of noncompliance with any applicable ordinance, the designated animal control agent for the city may order and direct in writing and by personal service the owner or custodian of any pot-bellied pig to abate and remove such animal from the city of Vancouver within ninety- six hours of the date and hour of service of such order. Such order shall state the method of appealing the order in the manner provided for in Section 8.24.280 and shall bear the notation that any appeal must be filed before the closure of the city clerk's office (or that of such other person or agency which the city may designate to receive such appeals) on the second business day following service of the order. If such animal is found within the city of Vancouver after ninety-six hours have elapsed from the date and hour of service of the order, such animal may be apprehended and removed by the animal control agent and disposed of immediately with no right of redemption by any person; provided, that if a timely appeal from the summary order to abate is filed, such animal shall not be disposed of unless and until such order is affirmed; and provided further, that in no event shall such animal be disposed of until the appeal period has expired.

(Ord. M-3027 § 7, 1992)

#### **VMC 8.24.330 Impoundment.**

The designated animal control agent may apprehend any animal committing or involved in any of the acts defined in this title or in any other ordinance as unlawful and/or which is being subjected to cruel treatment as defined in this title. After such an animal is apprehended, the animal control agent shall determine whether the animal is licensed, registered or otherwise identifiable, and may return the animal to the owner, and issue a notice of civil violation and/or order to abate pursuant to this chapter. If it is not reasonably possible to immediately return the animal to its owner, or if the animal control agent finds it necessary for the protection of the animal or of the public to keep the animal in custody, the animal control agent shall notify the owner of the animal within a reasonable time by telephone, mail, direct personal contact or by posting at the residence of the owner that the animal has been impounded and whether and/or how it may be redeemed from a designated city animal custodian.

Any unlicensed or unregistered animal impounded pursuant to this chapter shall be held for its owner at least seventy-two hours commencing with apprehension. For licensed or registered animals, such holding period shall be one hundred twenty hours and shall begin upon notification to the owner of such impoundment. If reasonable attempts have been made by the appropriate authority to notify such owner without success, the

licensed or registered animal shall be held for at least one hundred twenty hours from the time of apprehension. All impound periods shall continue to run during those hours when a designated city animal custodian's facility is not open for business.

The staff of a designated city animal custodian may cause to have provided necessary vaccinations against contagious disease to any impounded animals. Any animal not redeemed by its owner during the prescribed period, or which is suffering from serious injury or disease as determined by the person in charge of a designated city animal shelter, may be humanely destroyed, made available for adoption or, in the discretion of such custodian, may be held for a longer period and redeemed by its owner upon payment of reasonable medical fees, license fees if the animal is not currently licensed, impound and holding costs, and other chargeable fees or adopted by any other person not living in the same household as the animal's owner. Dogs and cats made available for adoption shall be spayed or neutered at the expense of the adoptive owner. No live animal impounded pursuant to this chapter shall be used, sold or donated for experimentation purposes.

The owner of any animal impounded pursuant to the provisions of this chapter may redeem the animal according to the procedures set out in this title; provided that, subject to the appeal procedures of this chapter, redemption may be denied to an owner who has cruelly treated an animal as defined in this title or to an owner of an animal believed to have engaged in vicious behavior as defined in this title; and provided, that such owner file the appeal from a denial of redemption with the city clerk's office or that of such other person or agency which the city may designate to receive such appeals before closure of such office on the second business day following service of the notice of the denial.

Animals delivered for impoundment by the Vancouver police department who have been removed from the possession of a person in custody of the police officer shall be held for not less than one hundred twenty hours. An impoundment receipt shall be given to the police officer who shall deliver such receipt to the person in custody from whom the animal was taken. Impoundment receipts shall recite redemption requirements and shall serve as the notice to the owner required in this title. The above notification requirement shall not apply to any animal that was abandoned under the provisions of RCW Chapter 16.54. For purposes of this section such an animal shall be deemed to have no owner.

(Ord. M-2727 § 9, 1987: Ord. M-2656 § 17, 1986: Ord. M- 2397 § 34, 1983)

#### **VMC 8.24.340 Impoundment register.**

The designated animal control agent shall maintain a register of all animals impounded pursuant to this chapter and such register shall show the identification tag number, if any, species and breed of the animal, a description of the animal by coloring and marking, the time and date of the animal's impoundment, the name of the person impounding the animal, the area in which such animal was picked up, the method and time of notifying the owner, if known, of redemption procedures, and the disposition of the animal and the date and time thereof.

(Ord. M-2397 § 35, 1983)

#### **VMC 8.24.350 Custodian of impounded animals.**

The city council may pursuant to contract for shelter services designate one or more custodians of animals impounded pursuant to this title. The designated animal custodian shall follow the provisions of this chapter and other city ordinances relating to animal

control and shall be subject to all the terms and conditions of such ordinances and to the terms and conditions of the contracts which have been or in the future will be executed with the city of Vancouver.

(Ord. M-2656 § 18, 1986: Ord. M-2397 § 36, 1983)

#### **VMC 8.24.360 Redemption.**

Any animal impounded pursuant to the provisions of this chapter or other city animal control ordinances may be redeemed upon payment by its owner of the redemption fees set out below and upon evidence satisfactory to the designated animal control agent that the violation has been corrected or by order of the hearing officer following an appeal and hearing as set out in this title. The correction of a violation includes, but is not limited to, the licensing of any unlicensed animal as required by this chapter. Any license fees or civil penalties due and owing shall be paid in addition to the redemption fee. The redemption fee shall include the following:

24. Impoundment costs:
  - A. First in a twelve-month period, fifteen dollars;
  - B. Second in a twelve-month period, thirty dollars; (C) Subsequent in a twelve-month period, sixty dollars.
25. Daily care: For each twenty-four-hour period, or portion thereof, from the time of impoundment:
  - . Dog or cat, ten dollars;
  - A. Poultry, ten dollars;
  - B. Livestock, twenty-five dollars. In the case of other animals or litters of puppies or kittens, the greater of the actual costs or five dollars per day will be charged.
26. Veterinary costs: Actual costs incurred for emergency medical care with a minimum charge of twenty- five dollars for each veterinary visit.
27. Transportation costs:
  - . Livestock:
    - i. Fifty dollars per animal,
    - ii. Should the actual transportation costs be greater than that set forth in the above schedule, the actual costs shall be assessed with a minimum charge of fifty dollars;
  - A. Cat or dog transported: Fifteen dollars plus fifty cents per mile traveled to locate and transport the animal;
  - B. Other animals: Actual costs incurred, with a minimum charge of twenty dollars per animal;
  - C. All charges are the obligation of the owner even if the animal is not redeemed.
28. Licensing fees as provided for in Section 8.24.060 if the animal being redeemed is not currently licensed.

(Ord. M-3170 § 1, 1995: Ord. M-3089 § 5, 1993: Ord. M- 2727 § 10, 1987: Ord. M-2656 § 19, 1986: Ord. M-2397 § 37, 1983)

#### **VMC 8.24.400 Kennel, grooming parlor and pet shop licenses--Requirement.**

It is unlawful for any person to own, maintain or operate a kennel, grooming parlor or pet shop within the city of Vancouver unless such person has first obtained the applicable

license as provided for hereinafter. Such license shall be nontransferable.

(Ord. M-2397 § 41, 1983)

**VMC 8.24.410 Application for kennel, grooming parlor, pet shop license.**

Any person making application for a kennel, grooming parlor or pet shop license shall submit to the designated animal control agent of the city of Vancouver the following information:

29. The name, address and phone number of the owner of such facility;
30. The name, address and phone number of the person having primary supervision of such facility;
31. The address or location and phone number of such facility;
32. The maximum number of animals which such facility will contain at any single time;
33. The name and address of the person designated by the applicant as agent for service of legal process or notice;
34. A statement giving permission for the inspection of such facility at any reasonable time;
35. An affidavit of zoning compliance signed by the owner of said facility and approved by the zoning administrator.

(Ord. M-3089 § 6, 1993: Ord. M-2397 § 42, 1983)

**VMC 8.24.420 License fees.**

The application for a kennel, grooming parlor or pet shop license shall be accompanied by a fee as follows:

Kennel, two hundred dollars;  
Grooming parlor, one hundred dollars;  
Pet shop, one hundred fifty dollars;  
Transfer of current license to new owner, fifteen dollars.

The fee for any combination establishment shall not exceed two hundred fifty dollars. A penalty fee of fifty percent of the license fee shall be assessed if the license is not applied for within thirty days of commencement of operation or the license renewal date. Payment of this penalty shall not preclude the imposition of any additional penalties prescribed in this chapter. Payment of any outstanding civil penalties imposed under this chapter shall be a prerequisite to licensing.

(Ord. M-2397 § 43, 1983)

**VMC 8.24.430 Processing.**

Upon application for a kennel, grooming parlor or pet shop license, the designated animal control agent shall inspect the proposed facilities to see whether the facilities will allow for safe and humane treatment for animals. If it is found they do not, the license shall not issue and the applicant shall be advised in writing as to why the license is denied.

(Ord. M-2397 § 44, 1983)

**VMC 8.24.440 Display.**

The license issued for a kennel, grooming parlor or pet shop shall be posted in a conspicuous place upon the premises where such facility is located.

(Ord. M-2397 § 45, 1983)

**VMC 8.24.450 Expiration and renewal.**

Each kennel, grooming parlor and pet shop license shall expire one year from the date of issuance thereof. License renewals shall be processed in the same manner as the original application, except that an affidavit of zoning compliance approved by the zoning administrator is not required.

(Ord. M-2397 § 46, 1983)

**VMC 8.24.460 Revocation, denial or refusal to renew.**

A license for any kennel, pet shop or grooming parlor may be revoked, denied or not renewed, for failure to comply with the provisions of this chapter, and such action by the designated animal control agent shall be final and conclusive unless within twenty days of written notification thereof an appeal is filed in the manner provided in this chapter.

(Ord. M-2397 § 47, 1983)

**VMC 8.24.470 Inspections.**

The designated animal control agent shall have the authority to enter and inspect the premises of a kennel, grooming parlor or pet shop licensed pursuant to this chapter at reasonable times to determine whether such facility is being operated in compliance with the provisions of this chapter.

(Ord. M-2397 § 48, 1983)

**VMC 8.24.480 Records required.**

Each kennel or pet shop shall prepare, maintain and make available to the designated animal control agent a current record of all dogs, cats or wild animals auctioned off, sold, let, or otherwise disposed of and a current record of all dogs, cats or wild animals born within such facility or acquired from other sources. Such records shall include the origin, the age and type of dog, cat or wild animal, and the name and address of the transferee and transferor.

(Ord. M-2727 § 11, 1987: Ord. M-2397 § 49, 1983)

**VMC 8.24.490 Animal shelters, kennels and pet shops-- General conditions.**

Animal shelters, kennels, and pet shops shall meet the following conditions:

36. Animal housing facilities shall be provided the animals, shall be structurally sound, shall be maintained in good repair, and shall be designed so as to protect the animals from injury and restrict the entrance of other animals.
37. Each animal shall be provided with adequate floor space to allow such animal to turn about freely and to easily stand, sit and lie in a comfortable normal position.
38. Any electrical power shall be supplied in conformance with applicable electrical codes adequate to supply heating and lighting as may be required by this chapter.
39. Water shall be supplied at sufficient pressure and quantity to clean indoor housing facilities and enclosures of debris and excreta.
40. Suitable food and bedding shall be provided and stored in facilities adequate to provide protection against infestation or contamination by insects or rodents. Refrigeration shall be provided for the protection of perishable foods.
41. Provision shall be made for the removal and disposal of animal and food wastes, bedding, dead animals and debris. Disposal facilities shall be so provided and operated as to minimize vermin infestation, odors and disease hazards.
42. Washroom facilities, including sinks and toilets, with hot and cold water, shall be conveniently available to maintain cleanliness among animal caretakers and for the purpose of washing utensils and equipment.
43. Sick, diseased or injured animals shall be separated from those appearing healthy and normal and if for sale, shall be removed from display and sale or adoption and kept in isolation quarters with adequate ventilation to keep from contaminating well animals.
44. There shall be an employee or keeper on duty at all times during hours any establishment is open whose responsibility shall be the care and supervision of the animals in that shop or department held for sale, adoption or display.
45. An employee, keeper or owner shall make provision to feed, water and do the necessary cleaning of animals. Puppies and kittens shall be fed and watered no less than twice every twelve hours and adult dogs and cats shall be fed and watered no less than twice every twenty-four hours.
46. No person shall misrepresent an animal to a consumer in any way.
47. No person shall knowingly give for adoption or sell a sick or injured animal without disclosing the sickness or injury to the adopter or purchaser.
48. Animals which are caged, closely confined or restrained shall be permitted daily exercise for an appropriate length of time, as determined by their size, age and species, in a yard or area suitable for that purpose.

(Ord. M-2397 § 50, 1983)

**VMC 8.24.500 Indoor facilities--Specific conditions.**

Animal shelters, kennels, and pet shops which have indoor facilities for animals shall:

49. Be sufficiently heated or cooled when necessary to protect the animals from temperatures to which they are not accustomed, taking into consideration their age, size and species;
50. Be adequately ventilated to provide for the health of the animals and to remove foul odors therefrom. The ventilation system so utilized shall be designed so that the volume of air within any enclosed indoor facility or part hereof shall be replaced by fresh air three or more times per hour. If ventilation equipment is used, it shall be constructed in conformance with current standards of good engineering practice with respect to noise and minimization of drafts;

51. Have ample light, either natural or artificial, or both, of good quality and well distributed to provide for such illumination as is necessary to inspect and clean during the entire working period. Such facilities shall be placed as to protect animals from excessive illumination. Sufficient lighting shall additionally be supplied in the area of sinks and toilets to provide for the hygiene of animal caretakers;
52. Have interior walls, ceiling and floor surfaces constructed of materials which are resistant to the absorption of moisture and odors, or such surfaces shall be treated with sealant or with paint. Floor surfaces shall not be made of unsealed wood. Interior walls shall be constructed so that the interface with floor surfaces is sealed from the flow or accumulation of moisture or debris;
53. Contain a suitable method of drainage to facilitate the rapid elimination of excess water under any weather or temperature condition from indoor housing facilities. Such system shall be connected to a sanitary sewer or septic tank system which shall conform with standards of city building codes; provided, this requirement shall not apply to pet shops. If drains are used, they shall be maintained in a clean and sanitary condition, and a safe and effective disinfectant shall be used in the cleaning of such facilities;
54. Be maintained in a clean and sanitary condition, with the use of a safe and effective disinfectant in cleaning.

(Ord. M-2397 § 51, 1983)

**VMC 8.24.510 Outdoor facilities--Specific conditions.**

Animal shelters, kennels, and pet shops having outdoor facilities for animals shall:

55. Be constructed to provide shelter from excessive sunlight, rain, snow, wind, heat, cold or other elements;
56. Be constructed to provide sufficient space for the proper exercise and movement of each animal contained therein;
57. Contain a suitable system of drainage and be constructed to prevent an accumulation of water, mud, debris, excreta or other material and capable of being kept clean and sanitary and shall be so kept;
58. Be enclosed by walls or fences sufficient to keep animals within and to prevent entrance of other animals.

(Ord. M-2397 § 52, 1983)

**VMC 8.24.520 Grooming parlors--Conditions.**

Grooming parlors shall:

59. Not board animals, but keep said animals for a reasonable time in order to perform the business of grooming;
60. Keep each animal in an individual cage;
61. Not permit animals therein kept for the direct purpose of grooming to have contact with other animals kept therein;
62. Sanitize all equipment after each animal has been groomed;
63. Not prescribe treatment or medicine that is the province of a licensed veterinarian as provided in RCW 18.92.010;

64. Not leave animals unattended during the drying process;
65. Take reasonable precautions to prevent injury from occurring to any animals while in the custody of said parlor.

(Ord. M-2397 § 53, 1983)

**VMC 8.24.530 Actions or claims against the city.**

Nothing in this chapter is intended to create a cause of action or claim against the city of Vancouver or its officials, employees or agents running to specific individuals. Any duty created by the ordinances codified in this chapter is a general duty running in favor of the public.

(Ord. M-2656 § 21, 1986: Ord. M-2397 § 57, 1983)